

REMARKS

Claims 1-27 remain pending in the present application. Claims 1, 8, 9, 13, 20 and 21 have been amended. Claims 25-27 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-7, 9-19 and 21-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Irvin (U.S. Pat. No. 6,360,101). Applicant respectfully traverses this rejection.

Independent Claims 1 and 13 have been amended to define the location information as being a communication parameter that is unique to a location but is not geocoordinates.

Irvin does not disclose, teach or suggest using location information that are not geocoordinates. Specifically, Irvin does not disclose, teach or suggest using base station ID, neighbor list, CDMA pilot PN offset, multi-path signal conditions or other signal conditions.

The present invention does not require a position receiver. In Irvin, position data means geocoordinates and the like. In the present invention location information does not include geocoordinates it means anything that can be used to identify the current location as being the same as some previous location without actually requiring the position or position data to be known. This is a key advantage of the present invention that Irvin does not provide or solve.

The present invention also does not require periodic monitoring of the current location (Claim 26). The present invention is directed to reusing the monitoring of communication signals or conditions for the location purposes. This is another key advantage of the present invention because it reduces the processing burden of the mobile station.

The present invention, in amended Claims 1 and 13, define that the location reminders can be implemented without a positioning receiver because geocoordinates are not required. Thus, Applicant believes Claims 1 and 13, as amended, patentably distinguish over the art of record. Likewise, Claims 2-7, 9-12, 14-19 and 21-24, which ultimately depend from Claims 1 or 13, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 8 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 8 depended from Claim 1 and Claim 20 depended from Claim 13. Claim 8 has been amended to independent form to include the limitations of Claim 1 and Claim 20 has been amended to independent form to include the limitations of Claim 13. Thus, Claims 8 and 20 are believed to be allowable.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:


Michael J. Schmidt, 34,007

Dated: September 21, 2004

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg